

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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NATASHA RICHARDSON, <i>et al.</i> ,	:	
Plaintiffs,	:	
	:	
v.	:	Civil No. 2:18-cv-01758-JMG
	:	
BARBOUR, <i>et al.</i> ,	:	
Defendants.	:	

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**ORDER**

**AND NOW** on this 19th day of August, 2020, upon consideration of Defendants' Motions to Dismiss, ECF Nos. 45-49, and in accordance with the accompanying memorandum opinion and the reasons explained therein, **IT IS HEREBY ORDERED** as follows:

1. The Court retroactively **GRANTS** Plaintiffs leave to file the Second Amended Complaint.
2. The Motions to Dismiss Count I (excessive force and false arrest under Section 1983 of the Civil Rights Act) are **DENIED**.
3. The Motions to Dismiss Count II are **GRANTED**. The *Monell* claims in Count II are **DISMISSED with prejudice** and the Municipal Defendants are each **DISMISSED with prejudice**. The entities dismissed are Clifton Heights Borough, Tinicum Township, Upper Darby Township, Haverford Township, and Darby Borough.
4. The Motions to Dismiss Count III (assault and battery) are **DENIED**.
5. The Motions to Dismiss Count IV (intentional infliction of emotional distress) are **GRANTED in part and DENIED in part**. Plaintiffs Natasha Richardson, Tyree Thomas, and Tymeer Thomas's claims under Count IV are **DISMISSED with prejudice**. The Motions are **DENIED** as to the claims under Count IV alleged by Plaintiff Tysheem Thomas.

6. The statute of limitations and qualified immunity defenses are **DENIED without prejudice.**

BY THE COURT:

/s/ John M. Gallagher  
JOHN M. GALLGHER  
United States District Court Judge